

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

COURTNEY RICHMOND,

Plaintiff,

v.

ORDER

Civil File No. 14-749 (MJD/LIB)

STATE OF MINNESOTA,

Defendant.

Courtney Richmond, pro se.

The above-entitled matter comes before the Court upon Plaintiff Courtney Richmond's Motion for Reconsideration. [Docket No. 22] On April 21, 2014, the Court adopted the Report and Recommendation of United States Magistrate Judge Brisbois and summarily dismissed the case pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii). Plaintiff requests that the Court reconsider its dismissal.

The district court's decision on a motion for reconsideration rests within its discretion. Hagerman v. Yukon Energy Corp., 839 F.2d 407, 413 (8th Cir. 1988).

Motions for reconsideration serve a limited function: to correct manifest errors of law or fact or to present newly discovered evidence. . . . Nor should a motion for reconsideration serve as the occasion to tender new legal theories for the first time.

Id. at 414 (citation omitted).

The Court has reviewed Plaintiff's submission and concludes that the Court's April 21, 2014 Order contains no manifest errors of law or fact. Nor has Plaintiff offered new evidence that would alter the Court's Order. However, the Court will correct a typographical error on page 2 of the April 21 Order.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**

HEREBY ORDERED:

1. Plaintiff Courtney Richmond's Motion for Reconsideration [Docket No. 22] is **DENIED**.
2. Line 2 of Paragraph 4 on page 2 of the April 21, 2014 Order [Docket No. 11] is amended to read "§ 1915(e)(2)(B)(ii) and (iii)."

Dated: May 28, 2014

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court